

**REMARKS**

This application has been carefully reviewed in light of the final Office Action dated November 20, 2009. Claims 1-16 are currently pending in the application, with Claims 1, 7, 9 and 13 being independent claims. Claim 7 has been amended in response to the objection, and not in response to the substantive rejections. No new matter is believed to have been introduced to the application by this amendment. Reconsideration and further examination are respectfully requested. In view of the foregoing remarks, all of the claims under consideration are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

**CLAIM OBJECTIONS**

Claim 7 is objected to for informalities, and the Office Action suggested to amend the first limitation of Claim 7 from "a user interface is stored in computer-readable memory" to "a computer-readable memory stored a user interface." Without conceding the correctness of the objection, and in order to expedite prosecution, Applicants have amended Claim 7 to recite "a computer-readable memory configured to store a user interface." Applicants respectfully request that the objection to Claim 7 be reconsidered and withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 1-5 and 7-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,470,171 ("Helmick"), in view of U.S. Patent No. 7,107,548 ("Shafron"). Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Helmick, in view of Gupta. Applicants respectfully traverse these rejections.

A rejection under 35 U.S.C. § 103 in view of prior art references can be properly sustained if the references either expressly or impliedly suggest the claimed invention. MPEP Section 706.02(j); Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).

It is respectfully submitted that the applied references fail to satisfy these high burdens. Specifically, the applied references nowhere teach or suggest “determining if the user has rights to utilize the enhanced system functionality[, invoked by using a modified user interface,] based on the role of the user,” as recited in independent Claim 1. Likewise, the applied references nowhere teach or suggest “grant[ing] or deny[ing] a user access to the new functionality[, invoked by a modified the user interface,] based on the role of the user in [an] extensible educational system,” as recited in independent Claims 7, 9, and 13.

The Office Action contends that Helmick at col.10 ll.1-25 teaches “determining if the user has rights to utilize the enhanced system functionality based on the role of the user,” as recited in independent Claim 1, and “grant[ing] or deny[ing] a user access to the new functionality based on the role of the user in [an] extensible educational system,” as recited in independent Claims 7, 9, and 13, but concedes that Helmick does not teach a modified user interface. Office Action, pp.4-8. Applicants respectfully disagree with the contention that Helmick teaches even these limitations of the independent claims.

Helmick in col.10 discloses a system which determines if a log-on is from an instructor or from a user, and displays an instructor view or user view of a course home page based on the determination. Helmick, col.10 ll.4-12. Helmick in col.10 also discloses determining if the instructor user is permitted access to an online educational system. Helmick, col.10 ll.17-18. Helmick does not, however, in either col.10 or anywhere else, teach or suggest an enhanced

system functionality. Accordingly, Helmick does not teach or suggest determining if the instructor or user has rights, based on their role, to utilize enhanced system functionality.

The Office Action contends that Helmick's deficiency in teaching a modified user is remedied by Shafron. Assuming, *arguendo*, that Shafron does teach a modified user interface, the applied references, whether alone or in combination, in view of what was known to one of ordinary skill in the art at the time of the invention, do not teach or suggest "determining if the user has rights to utilize the enhanced system functionality[, invoked by using a modified user interface,] based on the role of the user," as recited in independent Claim 1, or "grant[ing] or deny[ing] a user access to the new functionality[, invoked by a modified the user interface,] based on the role of the user in [an] extensible educational system," as recited in independent Claims 7, 9, and 13.

The Office Action contends that it would have been obvious to modify Helmick to incorporate the teachings of Shafron "to use Plug-in APIs for adding functionalities to the education environment by modify [*sic*] the browser interface. The modification would have been obvious because it would allow the user to customize and control the information and/or functionality of a browser interface." Office Action, pp.5-6; *see also* pp.8-9.

Applicants respectfully submit that even if, with the proposed modification, a user were allowed to customize and control the information and/or functionality of a browser interface, the proposed modification would still not be capable of "determining if the user has rights to utilize the enhanced system functionality[, invoked by using a modified user interface,] based on the role of the user," as recited in independent Claim 1, or "grant[ing] or deny[ing] a user access to the new functionality[, invoked by a modified the user interface,] based on the role of the user in [an] extensible educational system," as recited in independent Claims 7, 9, and 13. Specifically,

allowing a user to customize the functionality of a browser interface does not provide the same functionality of determining if the user has rights to utilize an enhanced functionality, by using the customized interface, based on the user's role. Furthermore, the Office Action does not contend that the above-identified limitations of the independent claim would be obvious in view of, or otherwise taught or suggested by, the proposed modification of Helmick to incorporate the teachings of Shafron, and the Applicants further submit that the above-identified limitations of the independent claim would not be obvious in view of, or otherwise taught or suggested by, the proposed modification of Helmick to incorporate the teachings of Shafron.

Gupta, which was cited in the rejection of dependent Claim 6 that includes installing a file on a server by using a Java archive file, does not remedy the deficiencies of Helmick and Shafron. Specifically, Gupta, whether alone or in combination with Helmick and Shafron, in view of what was known to one of ordinary skill in the art at the time of the invention, nowhere teaches or suggests “determining if the user has rights to utilize the enhanced system functionality[, invoked by using a modified user interface,] based on the role of the user,” as recited in independent Claim 1, or “grant[ing] or deny[ing] a user access to the new functionality[, invoked by a modified the user interface,] based on the role of the user in [an] extensible educational system,” as recited in independent Claims 7, 9, and 13.

Accordingly, the Office Action has failed to establish a prima facie case of obviousness of the currently pending claims over the applied references. Furthermore, the applied references, whether alone or in combination, in view of what was known to one of ordinary skill in the art at the time of the invention, do not teach or suggest the features of independent Claims 1, 7, 9, and 13, which are believed to be in condition for allowance.

The other claims currently under consideration in the application are dependent from their respective independent claims discussed above and therefore are believed to be allowable over the applied references for at least similar reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested. The rejection of the claims under 35 U.S.C. § 103 should therefore be reconsidered and withdrawn.

### **CONCLUSION**

In light of the remarks above, this application should be considered in condition for allowance and the case passed to issue. The absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be other reasons for patentability of any or all claims that have not been expressed. Finally, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation.

If there are any questions regarding this amendment or the application in general a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

**Application No.: 10/643,074**

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP  
/Ahsan A. Shaikh/

Ahsan A. Shaikh  
Registration No. 61,861

11682 El Camino Real, Suite 400  
San Diego, CA 92130  
Phone: 858.720.3300 AAS:kcc  
Facsimile: 858.720.7800  
**Date: February 22, 2010**  
ORC 472793-2.072575.0048

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